

Serial No. **54263**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... **DEC 21 1989**

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 23 1990**

The applicant..... **Pinson Mining Company**

P.O. Box 192

Street and No. or P.O. Box No.

of

Winnemucca

City or Town

Nevada 89445

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit No. 51389 - Well #10**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is **underground - Well No. 10**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **1.8 c.f.s.**
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for **mining, milling and domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **same**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 28, T.38N., R.42E., M.D.B. & M.,**
Describe as being within a 40-acre subdivision of public survey and by course and
or at a point from which the west 1/16 corner of the SW $\frac{1}{4}$, of said Section 28 bears
distance to a section corner. If on unsurveyed land, it should be stated.
S.60°10'10"W, 1,742 feet.
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 28, T.38N., R.42E., M.D.B. & M.**
If point of diversion is not changed, do not answer
or at a point from which the west 1/16
corner of the SW $\frac{1}{4}$, of said Section 28 bears N.73°50'32"W, 491 feet.
7. Proposed place of use **S $\frac{1}{2}$ Section 27, S $\frac{1}{2}$ Section 28, All of Section 33, T.38N., R.42E.,**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
M.D.B. & M.
8. Existing place of use **S $\frac{1}{2}$ Section 27, S $\frac{1}{2}$ Section 28, All of Section 33, T.38N., R.42E.,**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B. & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Drilled and cased well, with pump, to discharge**
State manner in which water is to be diverted, i.e., diversion structure, ditches,
into 8" proposed pipeline, conveying water to existing holding tank.
pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$80,000.00**
13. Estimated time required to construct works **Two (2) years**

14. Estimated time required to complete the application of water to beneficial use. Three (3) years.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application would be comingled with other Permits - Nos. 43130, 48037,
51388, 51390, 51427, 51429, 52464, so that total duty will not exceed 350.452
million gal./year. Place of Use reflects area for tailings pond, heap leach
facilities, and pit operations. This well will serve as drainage for open pit mining.
s/Keith M. Belingeri
By Keith M. Belingeri, Asst. Gen. Mgr.
Pinson Mining Company, P.O. Box 192
Winnemucca, NV 89445

Compared pm/bp am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 51389 is issued subject to the terms and conditions imposed in said Permit 51389 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 43130, 48037, 51388, 51390, 51427, 51429, 52464 and 54263 shall not exceed 350.452 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.8 cubic feet per second, but not to exceed 260.68 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 5, 1991

Proof of completion of work shall be filed before December 5, 1991

Application of water to beneficial use shall be made on or before November 5, 1992

Proof of the application of water to beneficial use shall be filed on or before December 5, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed _____ office, this 9th day of January

Certificate No. _____ Issued _____ A.D. 19 91

Abrogated By 58011, 8-31-92
57281

R. Michael Turnipseed
 State Engineer

(PERMIT TERMS CONTINUED)

subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used for mining purposes.

The well drilled under permit 51389 must be plugged in accordance with the Nevada Well Drilling Regulations within 60 days from the issuance of this permit.